

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with 12/01/2009 on David Shifren.

For claim 11, line 12 change "the affected nodes" to --affected nodes--. The same changes apply to identical claim language in claim 30, 13 and claim 38 line 13

For claim 11, line 19, change "subject to" to --wherein the potential function comprises. The same changes apply to identical claim language in claim 30, Line 20 and and claim 38 line 20.

For claim 12, line 2 change "the node" to --a node--. The same changes apply to identical claim language in claim 31, Line 2 and claim 39 line 2

For claim 13, line 3 change "one neighboring node" to --the at least one neighboring node—. The same changes apply to identical claim language in claim 32, Line 3 and claim 40 line 3.

For claim 27, line 2-3 change "the node" to --the broadcasting node--. The same changes apply to identical claim language in claim 35, Line 3 and claim 43 line 3.

For claim 38, line 1 change "An article of manufacture" to -- A non-transitory, tangible computer readable medium".

For claim 38, lines 3-4 change "the article of manufacture comprising a machine readable storage medium" to --the non-transitory, tangible computer readable medium--.

For claim 38, line 5 insert --by a processor—following “executed”.

#### **Reason for Allowance.**

2. For claim 11 and similarly 30 and 38, the closest prior art Basu et al (US 2004/0071082) discloses where packets are routed based on a function associated with the queues of nodes in a general network. The second closest prior art Nakagawa (WO 01/47181) discloses using energy reserves and energy need to transfer packets when making routing decisions for packets in an ad hoc network. Nonetheless, it appears that the prior art does not either by anticipation or combination disclose the following: “pushing the packet flow in the distributed network such that packets are moved from a queue with a higher height to a queue with a lower height, in a manner that substantially minimizes power dissipation at the affected nodes in order to prevent exhaustion of any energy reserve associated with an affected node; and

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absorbing the packet flow at a corresponding sink node such that heights of queues at the sink node are set to zero;

wherein each queue has a potential function associated therewith, the potential function of a given queue being a function of the height of the given queue, and wherein packets are routed so as to minimize the sum of the potential functions of the queues of the nodes of the distributed network, wherein the potential function comprises a constraint based at least in part on respective energy reserves associated with affected nodes and an amount of energy required to move packets between the affected nodes. “

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KENAN CEHIC whose telephone number is (571)270-3120.

The examiner can normally be reached on Monday through Friday 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KWANG BIN YAO can be reached on (571) 272-3182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Kenan Cehic/  
Examiner, Art Unit 2473

/KWANG B. YAO/  
Supervisory Patent Examiner, Art Unit 2473